

REMARKS

Claims 1-13, 17-20, 22, 23, and 25 are pending. Claims 1, 3-6, 11-13, 17-20, 22, and 23 have been amended. Claim 25 has been added. Claims 14-16, 21, and 24 have been cancelled. No new matter has been introduced. Reexamination and reconsideration of the application are respectfully requested.

In the December 9, 2004 Office Action, the Examiner allowed claims 1-11. Applicant has amended claims 1, 3-6, and 11 for clarity. The Examiner rejected claims 12-17 and 19-24 under 35 U.S.C. §102(b) as being anticipated by Publication of Registered Utility Model Application number 3057875 (hereinafter the '875 reference). Claims 14-16, 21, and 24 have been cancelled. Claims 12, 13, 17-20, 22, and 23 have been amended. This rejection is respectfully traversed.

Amended Independent claim 12 recites:

A method of determining a power of a writing optical beam used for recording of a signal onto an optical disc, the method comprising:

undergoing a test recording of a signal onto a predetermined test area of the optical disc prior to an actual recording;

reproducing the signal from the predetermined test area of the optical disc;

generating a first recording characteristic according to the reproduced signal, wherein the first characteristic represents a characteristic of a β value as a function of the power of the writing optical beam, and wherein the β value is derived from an amplitude of the reproduced signal;

obtaining from the first recording characteristic a second recording characteristic, wherein the second characteristic represents a characteristic of a $\Delta\beta$ as a function of

the power of the writing optical beam, and wherein the $\Delta\beta$ indicates a variation of the β value in the first characteristic per a unit amount of the power of the writing optical beam;

determining a recording power range according to the obtained second recording characteristic using a preferable range of $\Delta\beta$, which is predetermined for realizing a preferable recording, such that the power of the writing optical beam is determined within the recording power range; and

determining a preferable power of the writing optical beam according to the first recording characteristic and within the recording power range.

The '875 reference does not disclose, teach, or suggest the method specified in independent claim 12, as amended. Unlike the method specified in independent claim 12, as amended, the '875 reference does not show "obtaining from the first recording characteristic a second recording characteristic, wherein the second characteristic represents **a characteristic of a $\Delta\beta$** as a function of the power of the writing optical beam, and wherein **the $\Delta\beta$ indicates a variation of the β value in the first characteristic per a unit amount of the power** of the writing optical beam;

determining a recording power range according to the obtained second recording characteristic using a preferable **range of $\Delta\beta$** , which is predetermined for realizing a preferable recording, such that the power of the writing optical beam is determined within the recording power range".

The '875 reference teaches that the value β and the degree of modulation are set up as the standard for judging the power level (Abstract). The '875 reference never suggests the use of the value $\Delta\beta$. Accordingly, Applicant respectfully submits that

independent claim 12, as amended distinguishes over the above-cited reference.

Independent claims 19, 20, 22, and 23, as amended, recite limitations similar to independent claim 12, as amended. Specifically, independent claims 19, 20, 22, and 23, as amended, recite the use of the value $\Delta\beta$. Accordingly, Applicant respectfully submits that independent claims 9, 20, 22, and 23, as amended, distinguish over the above-cited reference for the same reasons as set forth above with respect to independent claim 12, as amended.

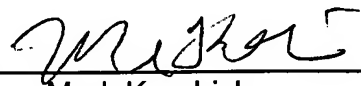
Applicant believes that the foregoing amendment and remarks place the application in condition for allowance, and a favorable action is respectfully requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles telephone number (213) 488-7100 to discuss the steps necessary for placing the application in condition for allowance should the examiner believe that such a telephone conference would advance prosecution of the application.

Respectfully submitted,

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